

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Case No. 08-cr-94-PB

Peter Mitrano

O R D E R

The court will hold an evidentiary hearing on the motion in limine (Doc. No. 40). The defendant shall file a list of witnesses and exhibits for the hearing 10 days prior to the scheduled date of the hearing. The government shall file a responsive list of exhibits and witnesses three days later. The court will hold a pretrial conference after the witness lists and exhibit lists are filed. The purpose of the hearing will be to determine whether, and to what extent, the defendant will be able to collaterally attack the validity of the support order. Regardless of how this issue is resolved, the court will not unfairly limit the defendant's ability to present evidence to support his willfulness defense.

SO ORDERED.

/s/Paul Barbadoro
Paul Barbadoro
United States District Judge

April 13, 20089

cc: Jeffrey S. Levin, Esq.
Helen Fitzgibbon, Esq.
United States Probation
United States Marshal